



HOMESTEADS.

THE REPUBLICANS AND SETTLERS

AGAINST

DEMOCRACY AND MONOPOLY.

THE RECORD.

As it has been the policy of the aristocratic party in all ages and countries to favor land monopoly as the means of securing power to the few, so it has ever been the effort of those who wished to give and preserve power to the people to enable them to become proprietors, and secure them in their homes. It is not proposed in this paper to demonstrate the soundness of this policy, or to recount the efforts of patriots to establish it. Its wisdom and justice are now accepted by all who favor popular government, and recognise Jefferson and Jackson as true exponents of Republicanism. It is now proposed only to exhibit briefly, but authentically, the relations to this subject of the two great parties in the country, who, under the names of Republican and Democratic, are contending for the control of the Government, that it may be seen which of these parties is worthy of the name it assumes.

The action of the representatives of these parties during the two last sessions of Congress, upon the homestead law and the bill to prevent the sale of public lands for ten years after they are surveyed, except to actual settlers, furnishes an unerring test of the policy of these parties on this subject, and demonstrates beyond cavil, that whilst the so-called Democratic party is false to its name, and favors land monopoly and speculation, and is hostile to the settler, the Republican is true to its name and history, and opposes such monopoly and speculation, and cherishes the rights and interests of the settler.

The Democracy had a large majority of the House of Representatives of the Thirty-fifth Congress, and on assembling in December, 1857, elected as Speaker Mr. Orr, of South Carolina, a thorough partisan. On the 20th January, 1859, (page 492,*) the House having under consideration a bill relating to pre-emptions, Mr. BLAIR, of Missouri, offered as a substitute the homestead bill. The Speaker promptly ruled it out of order, and the House sustained him. Mr.

Grow, of Pennsylvania, then moved to amend by adding the following as an additional section.

"Be it further enacted, That from and after the passage of this act, no public land shall be exposed to sale by proclamation of the President, unless the same shall have been surveyed, and the return of such survey duly filed in the Land Office, for ten years or more before such sale."

It was impossible to declare this out of order, and, seeing there was danger of its passing on a direct vote, it was attempted to give it the go-by by referring the bill and proposed amendment to the Committee of the Whole. The vote on the motion was as follows:*

YEAS, 90.

| | |
|--|---|
| Maine—Wood..... | 1 |
| New Hampshire..... | 0 |
| Vermont..... | 0 |
| Massachusetts..... | 0 |
| Connecticut—Arnold, Bishop..... | 2 |
| Rhode Island..... | 0 |
| New York—Burroughs, Maclay, Russell, Taylor | 4 |
| New Jersey—Wortendyke..... | 1 |
| Pennsylvania—Ahl, Chapman, Dewart, Montgomery, Morris, Ritchie, White..... | 7 |
| Delaware..... | 0 |
| Maryland—HARRIS, RICAUD..... | 2 |
| Virginia—Bocock, Caskie, Edmundson, Faulkner, Garnett, Millson, Powell..... | 7 |
| North Carolina—Craigie, Ruffin, Scales, Winslow | 4 |
| South Carolina—Boyce, Branch, Keitt, McQueen, Miles..... | 5 |
| Georgia—Crawford, Gartrell, Jackson, Seward, Stephens, Tripp, Wright..... | 7 |
| Florida—Hawkins..... | 1 |
| Alabama—Curry, Houston, Moore, Shorter... | 4 |
| Mississippi—Barksdale, Davis, McRae..... | 3 |
| Louisiana—ECSTIS, Sandidge, Taylor..... | 3 |
| Texas—Bryan, Reagan..... | 2 |
| Tennessee—Atkins, Jones, MAYNARD, READY, Savage, Watkins, ZOLLICOFFER..... | 7 |
| Kentucky—Burnett, Jewett, MARSHALL, Peyton, Stevenson, Talbott, UNDERWOOD..... | 7 |

* The references are to the Congressional Globe of the year, the official report.

* The names of Democrats are printed in Roman, the Republicans in Italics, and the South Americans in small capitals.

| | | | |
|--|----|---|----|
| Arkansas..... | 0 | Rhode Island— <i>Brayton, Durfee</i> | 2 |
| Missouri— <i>Anderson, Caruthers, John B. Clark,</i> <i>James Craig, Phelps, Woodson</i> | 6 | Connecticut— <i>Dean</i> | 1 |
| Ohio— <i>Burns, Cockerill, Groesbeck, Harlan,</i> <i>Lawrence, Nichols, Pendleton, Vollandigham</i> | 8 | New York— <i>Andrews, Bennett, Burroughs,</i> <i>Clark, John Cochrane, Dodd, Fenton, Gran-</i> <i>ger, Hoard, Kelsey, Matteson, Morgan, Morse,</i> <i>Murray, Olin, Palmer, Parker, Sherman,</i> <i>Spinner, Thompson</i> | 20 |
| Indiana— <i>Davis, English, Gregg, Hughes, Nib-</i> <i>lack</i> | 5 | New Jersey— <i>Robbins</i> | 1 |
| Illinois— <i>Marshall, Morris, Shaw, Smith</i> | 4 | Pennsylvania— <i>Chapman, Covode, Edie, Flo-</i> <i>rence, Grow, Keim, Morris, Phillips, Purviance,</i> <i>Ritchie, Stewart</i> | 11 |
| Michigan..... | 0 | Delaware..... | 0 |
| Wisconsin..... | 0 | Maryland— <i>Stewart</i> | 1 |
| Iowa..... | 0 | Virginia..... | 0 |
| Minnesota..... | 0 | North Carolina..... | 0 |
| California..... | 0 | South Carolina..... | 0 |
| | 90 | Georgia..... | 0 |
| | | Florida..... | 0 |
| | | Alabama..... | 0 |
| | | Mississippi..... | 0 |
| | | Louisiana..... | 0 |
| | | Texas..... | 0 |
| | | Arkansas..... | 0 |
| | | Tennessee— <i>Atkins, Avery, Jones, Savage</i> | 4 |
| | | Kentucky— <i>Jewett, Stevenson, Talbott</i> | 3 |
| | | Ohio— <i>Bingham, Bliss, Cockerill, Giddings,</i> <i>Harlan, Horton, Lawrence, Leiter, Miller,</i> <i>Mott, Sherman, Stanton, Tompkins, Wade</i> | 14 |
| | | Indiana— <i>Colfax, Kilgore, Pettit, Wilson</i> | 4 |
| | | Illinois— <i>Farnsworth, Kellogg, Lovejoy, Wash-</i> <i>burne</i> | 4 |
| | | Michigan— <i>Howard, Leach, Walbridge, Waldron</i> | 4 |
| | | Wisconsin— <i>Billingshurst, Potter, Washburn</i> | 3 |
| | | Minnesota— <i>Cavanaugh, Phelps</i> | 2 |
| | | Iowa— <i>Curtis, Davis</i> | 2 |
| | | Missouri— <i>Blair</i> | 1 |
| | | California..... | 0 |

NAYS, 92.

| | |
|---|----|
| Maine— <i>Foster, Gilman, Morse, Washburn</i> | 4 |
| New Hampshire— <i>Cragin, Tappan</i> | 2 |
| Vermont— <i>Morrill, Royce, Walton</i> | 3 |
| Massachusetts— <i>Buffinton, Burlingame, Chaffee,</i> <i>Comins, Davies, Hall, Knapp, Thayer</i> | 8 |
| Rhode Island— <i>Brayton, Durfee</i> | 2 |
| Connecticut— <i>Clark, Dean</i> | 2 |
| New York— <i>Andrews, Clark, John Cochrane,</i> <i>Dodd, Fenton, Granger, Hatch, Hoard, Kel-</i> <i>sey, Matteson, Morgan, Morse, Murray, Olin,</i> <i>Palmer, Parker, Spinner, Thompson</i> | 18 |
| New Jersey— <i>Clauson, Huyler</i> | 2 |
| Pennsylvania— <i>Covode, Edie, Florence, Grow,</i> <i>Jones, Keim, Leidy, Purviance, Stewart</i> | 9 |
| Maryland— <i>Bowie, Stewart</i> | 2 |
| Virginia— <i>Goode, Hopkins</i> | 2 |
| North Carolina— <i>GILMER, VANCE</i> | 2 |
| South Carolina..... | 0 |
| Georgia..... | 0 |
| Florida..... | 0 |
| Alabama— <i>Cobb, Dowdell, Stallworth</i> | 3 |
| Mississippi— <i>Singleton</i> | 1 |
| Louisiana..... | 0 |
| Texas..... | 0 |
| Arkansas..... | 0 |
| Tennessee..... | 0 |
| Kentucky..... | 0 |
| Ohio— <i>Bingham, Bliss, Cox, Giddings, Hall,</i> <i>Leiter, Mott, Sherman, Stanton, Tompkins,</i> <i>Wade</i> | 11 |
| Indiana— <i>Colfax, Foley, Kilgore, Pettit, Wilson</i> | 5 |
| Illinois— <i>Farnsworth, Kellogg, Lovejoy, Wash-</i> <i>burne</i> | 4 |
| Missouri— <i>Blair</i> | 1 |
| Michigan— <i>Howard, Leach, Walbridge, Waldron</i> | 4 |
| Wisconsin— <i>Potter, Washburn</i> | 2 |
| Iowa— <i>Curtis, Davis</i> | 2 |
| California— <i>Scott</i> | 1 |
| Minnesota— <i>Cavanaugh, Phelps</i> | 2 |
| | 92 |

The motion to refer the bill to the Committee of the Whole having thus failed, the House was brought to a direct vote upon Mr. Grow's amendment, which was adopted by the following vote:

YEAS 98.

| | |
|---|----|
| Maine— <i>Foster, Gilman, Morse, Washburn, Wood</i> | 5 |
| New Hampshire— <i>Cragin, Pike, Tappan</i> | 3 |
| Vermont— <i>Morrill, Royce, Walton</i> | 3 |
| Massachusetts— <i>Buffinton, Burlingame, Chaffee,</i> <i>Comins, Davis, Davies, Gooch, Hall, Knapp,</i> <i>Thayer</i> | 10 |
| Rhode Island— <i>Brayton, Durfee</i> | 2 |
| Connecticut— <i>Dean</i> | 1 |
| New York— <i>Andrews, Bennett, Burroughs,</i> <i>Clark, John Cochrane, Dodd, Fenton, Gran-</i> <i>ger, Hoard, Kelsey, Matteson, Morgan, Morse,</i> <i>Murray, Olin, Palmer, Parker, Sherman,</i> <i>Spinner, Thompson</i> | 20 |
| New Jersey— <i>Robbins</i> | 1 |
| Pennsylvania— <i>Chapman, Covode, Edie, Flo-</i> <i>rence, Grow, Keim, Morris, Phillips, Purviance,</i> <i>Ritchie, Stewart</i> | 11 |
| Delaware..... | 0 |
| Maryland— <i>Stewart</i> | 1 |
| Virginia..... | 0 |
| North Carolina..... | 0 |
| South Carolina..... | 0 |
| Georgia..... | 0 |
| Florida..... | 0 |
| Alabama..... | 0 |
| Mississippi..... | 0 |
| Louisiana..... | 0 |
| Texas..... | 0 |
| Arkansas..... | 0 |
| Tennessee— <i>Atkins, Avery, Jones, Savage</i> | 4 |
| Kentucky— <i>Jewett, Stevenson, Talbott</i> | 3 |
| Ohio— <i>Bingham, Bliss, Cockerill, Giddings,</i> <i>Harlan, Horton, Lawrence, Leiter, Miller,</i> <i>Mott, Sherman, Stanton, Tompkins, Wade</i> | 14 |
| Indiana— <i>Colfax, Kilgore, Pettit, Wilson</i> | 4 |
| Illinois— <i>Farnsworth, Kellogg, Lovejoy, Wash-</i> <i>burne</i> | 4 |
| Michigan— <i>Howard, Leach, Walbridge, Waldron</i> | 4 |
| Wisconsin— <i>Billingshurst, Potter, Washburn</i> | 3 |
| Minnesota— <i>Cavanaugh, Phelps</i> | 2 |
| Iowa— <i>Curtis, Davis</i> | 2 |
| Missouri— <i>Blair</i> | 1 |
| California..... | 0 |

NAYS, 81

| | |
|--|---|
| Maine..... | 0 |
| New Hampshire..... | 0 |
| Vermont..... | 0 |
| Massachusetts..... | 0 |
| Rhode Island..... | 0 |
| Connecticut— <i>Arnold</i> | 1 |
| New York— <i>Russell, Searing, Taylor</i> | 3 |
| New Jersey— <i>Huyler, Wortendyke</i> | 2 |
| Pennsylvania— <i>Ahl, Dewart, Leidy, Montgom-</i> <i>ery</i> | 4 |
| Delaware— <i>Whiteley</i> | 1 |
| Maryland— <i>Bowie</i> | 1 |
| Virginia— <i>Bocock, Caskie, Edmundson, Gar-</i> <i>nett, Goode, Hopkins, Millson, Powell</i> | 8 |
| North Carolina— <i>Branch, Craige, GILMER, Ruf-</i> <i>fin, Scates, Shaw, VANCE, Winslow</i> | 8 |
| South Carolina— <i>Bonham, Boyce, McQueen,</i> <i>Miles</i> | 4 |
| Georgia— <i>Crawford, Gartrell, Jackson, Sew-</i> <i>ard, Stephens, TRIPPE, Wright</i> | 7 |
| Florida— <i>Hawkins</i> | 1 |
| Alabama— <i>Cobb, Curry, Dowdell, Houston,</i> <i>Moore, Shorter, Stallworth</i> | 7 |
| Mississippi— <i>Davis, McRae, Singleton</i> | 3 |
| Louisiana— <i>EUSTIS, Sandidge</i> | 2 |
| Texas— <i>Reagan</i> | 1 |
| Arkansas..... | 0 |
| Tennessee— <i>MAYNARD, READY, Smith, Watkins,</i> <i>ZOLLICOFFER</i> | 5 |

| | |
|--|----|
| Kentucky—Burnett, Elliott, Underwood..... | 3 |
| Ohio—Burns, Cox, Hall, Pendleton, Vollandigham..... | 5 |
| Indiana—Davis, Foley, Gregg, Hughes..... | 4 |
| Illinois—Hodges, Marshall, Shaw, Smith..... | 4 |
| Michigan..... | 0 |
| Wisconsin..... | 0 |
| Minnesota..... | 0 |
| Iowa..... | 0 |
| Missouri—Anderson, Caruthers, Clark, Craig, Phelps, Woodson..... | 6 |
| California—Scott..... | 1 |
| | 81 |

Upon the adoption of Mr. Grow's amendment, the Republican vote, as will be seen, was unanimously in the affirmative. Of the votes from the slave States, all but nine were in the negative, and, as we shall presently see, there was only one of that number who was really in favor of it, this one being Mr. Blair, of Missouri.

Mr. Grow's amendment being incorporated into the bill, the next question was upon the passage of the bill, which was defeated by the following vote:

YEAS, 91.

| | |
|--|----|
| Maine—Foster, Morse, Washburn, Wood..... | 4 |
| New Hampshire—Cragin, Pike, Tappan..... | 3 |
| Vermont—Morrill, Royce, Walton..... | 3 |
| Massachusetts—Buffinton, Burlingame, Chaffee, Comins, Davis, Dawes, Gooch, Hall, Knapp, Thayer..... | 10 |
| Rhode Island—Brayton, Durfee..... | 2 |
| Connecticut—Clark, Dean..... | 2 |
| New York—Andrews, Bennett, Burroughs, Clark, C. B. Cochrane, John Cochrane, Dodd, Fenton, Granger, Hatch, Hoard, Kelsey, Matteson, Morgan, Morse, Murray, Olin, Palmer, Parker, Spinner, Thompson..... | 21 |
| New Jersey—Clawson, Robbins..... | 2 |
| Pennsylvania—Covode, Dick, Edie, Grow, Keim, Morris, Purviance, Ritchie, Stewart..... | 9 |
| Delaware..... | 0 |
| Maryland—Davis..... | 1 |
| Virginia..... | 0 |
| North Carolina..... | 0 |
| South Carolina..... | 0 |
| Georgia..... | 0 |
| Florida..... | 0 |
| Alabama..... | 0 |
| Mississippi..... | 0 |
| Louisiana..... | 0 |
| Texas..... | 0 |
| Arkansas..... | 0 |
| Tennessee..... | 0 |
| Kentucky..... | 0 |
| Ohio—Bingham, Bliss, Cox, Giddings, Hall, Harlan, Horton, Leiter, Miller, Mott, Sherman, Stanton, Tompkins, Wade..... | 14 |
| Michigan—Howard, Leach, Walbridge, Waldron..... | 4 |
| Indiana—Colfax, Kilgore, Pettit, Wilson..... | 4 |
| Illinois—Farnsworth, Kellogg, Lovejoy, Morris, Washburne..... | 5 |
| Wisconsin—Potter, Washburn..... | 2 |
| Iowa—Curtis, Davis..... | 2 |
| Minnesota—Cavanaugh, Phelps..... | 2 |
| Missouri—Blair..... | 1 |
| California..... | 0 |
| | 91 |

NAYS, 95.

| | |
|--|----|
| Maine..... | 0 |
| New Hampshire..... | 0 |
| Vermont..... | 0 |
| Massachusetts..... | 0 |
| Rhode Island..... | 0 |
| Connecticut—Arnold..... | 1 |
| New York—Corning, Russell, Searing, Taylor..... | 4 |
| New Jersey—Huyler..... | 1 |
| Pennsylvania—Ahl, Chapman, Dewart, Florence, Jones, Leidy, Montgomery, Phillips, White..... | 9 |
| Delaware—Whiteley..... | 1 |
| Maryland—Bowie, Ricard, Stewart..... | 3 |
| Virginia—Bocock, Caskie, Edmundson, Garrett, Goode, Hopkins, Millson, Powell..... | 8 |
| North Carolina—Craige, Gilmer, Ruffin, Scales, Shaw, Vance, Winslow..... | 7 |
| South Carolina—Bonham, Boyce, McQueen..... | 3 |
| Georgia—Crawford, Gartrell, Jackson, Stephens, Tripp, Wright..... | 6 |
| Florida—Hawkins..... | 1 |
| Alabama—Cobb, Dowdell, Houston, Moore, Shorter, Stallworth..... | 6 |
| Mississippi—Barksdale, Davis, McRae, Singleton..... | 4 |
| Louisiana—Sandidge, Taylor..... | 2 |
| Texas—Bryan, Reagan..... | 2 |
| Arkansas—Greenwood..... | 1 |
| Tennessee—Atkins, Avery, Jones, Maynard, Ready, Savage, Smith, Watkins, Zollicoffer..... | 9 |
| Kentucky—Burnett, Clay, Elliott, Jewett, Marshall, Mason, Peyton, Stevenson, Talbott, Underwood..... | 10 |
| Ohio—Burns, Cockerill, Groesbeck, Pendleton, Vollandigham..... | 5 |
| Indiana—Davis, Foley, Gregg, Hughes..... | 4 |
| Illinois—Marshall, Shaw..... | 2 |
| Michigan..... | 0 |
| Wisconsin..... | 0 |
| Iowa..... | 0 |
| Missouri—Anderson, Caruthers, Clark, Craig, Phelps, Woodson..... | 6 |
| Minnesota..... | 0 |
| California..... | 0 |
| | 95 |

The defeat of the bill, in consequence of the incorporation into it of Mr. Grow's amendment, shows that a majority of the House was really opposed to that amendment, although it had been adopted by a vote of 98 to 81. Certain members, who did not dare to vote directly against the amendment, joined in killing it afterwards, by killing the bill, of which it had been made a part by their own votes.

Thus Messrs. Stewart of Maryland, Atkins, Avery, Jones, and Savage, of Tennessee, and Jewett, Stevenson, and Talbott, of Kentucky, who had voted for the amendment, voted afterwards against the bill. Only one, Mr. Blair, of the nine Southern supporters of the amendment, proved true to it in the end, and no other Southern member came to its support in the final vote, saving only Mr. Davis of Maryland, who represents the free-labor interests of the city of Baltimore.

On the first of February, the homestead bill, in substance the House bill hereinafter inserted in full, came up for consideration, and after the usual dilatory proceedings resorted to by the Democracy to prevent action, of moving to lay on the table, &c., was passed by the following vote:

YEAS, 120.

| | |
|---|----|
| Maine—Abbott, Foster, Gilman, Morse, Washburn..... | 5 |
| New Hampshire—Cragin, Pike, Tappan..... | 3 |
| Vermont—Morrill, Royce, Walton..... | 3 |
| Massachusetts—Buffinton, Burlingame, Chaffee, Comins, Davis, Daves, Gooch, Hall, Knapp, Thayer..... | 10 |
| Rhode Island—Brayton, Durfee..... | 2 |
| Connecticut—Bishop, Clark, Dean..... | 3 |
| New York—Andrews, Barr, Burroughs, C. B. Cochrane, John Cochrane, Corning, Dodd, Fenton, Goodwin, Granger, Haskin, Hatch, Hoard, Kelsey, Maclay, Matteson, Morgan, Morse, Murray, Olin, Palmer, Parker, Pottle, Russell, Spinner, Taylor, Ward..... | 27 |
| New Jersey—Adrain, Clauser, Robbins, Wortendyke..... | 4 |
| Pennsylvania—Corode, Dick, Florence, Grow, Hickman, Keim, Morris, Phillips, Purviance, Reilly, Roberts, Stewart, Kunkel..... | 13 |
| Delaware..... | 0 |
| Maryland..... | 0 |
| Virginia..... | 0 |
| North Carolina..... | 0 |
| South Carolina..... | 0 |
| Georgia..... | 0 |
| Florida..... | 0 |
| Alabama..... | 0 |
| Mississippi..... | 0 |
| Louisiana..... | 0 |
| Texas..... | 0 |
| Arkansas..... | 0 |
| Tennessee—Jones..... | 1 |
| Kentucky—Jewett..... | 1 |
| Ohio—Bingham, Bliss, Burns, Cockerill, Cox, Giddings, Groesbeck, Hall, Harlan, Horton, Lawrence, Leiter, Miller, Pendleton, Sherman, Stanton, Tompkins, Vallandigham, Wade..... | 19 |
| Indiana—Cuse, Colfax, Davis, Foley, Gregg, Kilgore, Pettit, Wilson..... | 8 |
| Illinois—Farnsworth, Hodges, Kellogg, Lovejoy, Morris, Smith, Washburn..... | 7 |
| Michigan—Howard, Leach, Walbridge, Waldron..... | 4 |
| Wisconsin—Billinghurst, Potter, Washburn..... | 3 |
| Minnesota—Cavanaugh, Phelps..... | 2 |
| Iowa—Curtis, Davis..... | 2 |
| Missouri—Craig..... | 1 |
| California—McKibbin, Scott..... | 2 |

120

NAYS, 76.

| | |
|-------------------------|---|
| Maine..... | 0 |
| New Hampshire..... | 0 |
| Vermont..... | 0 |
| Massachusetts..... | 0 |
| Rhode Island..... | 0 |
| Connecticut..... | 0 |
| New York..... | 0 |
| New Jersey..... | 0 |
| Pennsylvania—Leidy..... | 1 |

| | |
|--|----|
| Delaware—Whiteley..... | 1 |
| Maryland—Bowie, Davis, Harris, Kunkel, RICAUD, Stewart..... | 6 |
| Virginia—Bocock, Caskie, Edmundson, Faulkner, Garnett, Goode, Hopkins, Jenkins, Letcher, Millson, Smith..... | 11 |
| North Carolina—Branch, Craige, GILMER, Ruffin, Scales, Shaw, VANCE, Winslow..... | 8 |
| South Carolina—Bonham, Boyce, Keitt, McQueen, Miles..... | 5 |
| Georgia—Crawford, Gartrell, Hill, Jackson, Seward, Stephens, TRIPPE, Wright..... | 8 |
| Florida..... | 0 |
| Alabama—Cobb, Curry, Dowdell, Houston, Moore, Shorter, Stallworth..... | 7 |
| Mississippi—Barksdale, Lamar, McRae, Singleton..... | 4 |
| Louisiana—EUSTIS..... | 1 |
| Texas—Reagan..... | 1 |
| Arkansas—Greenwood..... | 1 |
| Tennessee—Atkins, Avery, MATNARD, READY, Smith, Watkins, Wright, ZOLLICOFFER..... | 8 |
| Kentucky—Burnett, MARSHALL, Mason, Peyton, UNDERWOOD..... | 5 |
| Ohio—Nichols..... | 1 |
| Indiana—English, Hughes, Niblack..... | 3 |
| Illinois—Marshall, Shaw..... | 2 |
| Michigan..... | 0 |
| Wisconsin..... | 0 |
| Minnesota..... | 0 |
| Iowa..... | 0 |
| Missouri—ANDERSON, Clark, WOODSON..... | 3 |
| California..... | 0 |

76

Only three Southern members, Jones of Tennessee, Jewett of Kentucky, and Craig of Missouri, voted for the bill, thereby marking unmistakably the sectional character of the opposition to it.

The Republican vote, with a solitary exception, was given solid for the bill.

Of the entire Democratic vote in the House, a large majority was against the bill, but even this is less important than the other fact, that the Southern wing of the party was almost unanimously against it, being this Southern wing which controls.

The bill had yet to encounter the more dangerous ordeal of the Senate, in which the Democratic majority was larger, where the Southern managers would not permit a vote.

On the 17th day of February, Mr. WADE, of Ohio, (page 1074,) moved to postpone all prior orders, and take up the homestead bill, which had passed the House. The following extracts from the debate upon this motion will exhibit the points made:

"Mr. WADE. The homestead bill, to which I am a good deal attached, has, I believe, twice passed the House and come to this body, but somehow it has had the go-by, and we have never had a direct vote upon it here that I know of. I do not propose to discuss it for a single moment, and I hope none of its friends will debate it, because it has been pending before Congress for several years, and I presume every Senator is perfectly well acquainted with

'all its provisions, and has made up his mind as to the course he will pursue in regard to it. I have no hope that anything I could say would win any opponent of the bill to its support; and I hope every friend of the measure will take no time in debate, but will try to get a vote upon it, for I think it is the great measure of the session. All I want, all I ask, is to have a vote upon it.

"Mr. REID, of North Carolina. I think it is too late in the session now to take up this bill to be acted upon here, at least until we act upon other great measures upon which there is more unanimity of sentiment in the country, and a higher sense of duty upon us to pass them during the few days of the season that remain.

"Mr. HUNTER, of Virginia. I believe that a fortnight to-day will take us to the 3d of March. Now, it is known that we have nearly all the important appropriation bills, and one that is unfinished, to take up. I hope there will be no effort to press this homestead bill, so as to displace the appropriation bills. I must appeal to the Senate to consider how little of the session is now left to us, and whether we ought not to take up the appropriation bill and dispose of it.

"Mr. SHIELDS, of Minnesota. The friends of this bill desire nothing but a vote upon it, not to waste time in debate. Let us take it up, and have a fair vote upon it.

"Mr. HUNTER. I do not conceal the fact that I am very much opposed to it; but I suppose, whenever this bill comes up, it must be the subject of debate.

"Mr. WILSON, of Massachusetts. I appreciate the anxiety of the Senator from Virginia to take up the appropriation bill; but I would suggest to that Senator that he allow us to take up this bill, and have a vote upon it. I do not suppose that anybody, who is in favor of the measure, desires to consume the time of the Senate, at this stage of the session, by discussing it. It has been discussed before the nation. It is well understood. I believe it is sustained by an overwhelming majority of the people of the country.

"Mr. WADE. I have no doubt, from the business before us, that this is the last opportunity we shall have to act upon this great measure. I hope, as I said before, every friend of it will stand by it until it is either triumphant or defeated, and that, too, in preference to any other business that may be urged upon us. As to the appropriation bills, I have not the least fear but that they will go through. Their gravitation carries them through."

The question was then taken, and Mr. Wade's motion was carried by the following vote, the Republicans being indicated by Italics:

YEAS—Messrs. Bright, Broderick, Chandler, Collamer, Dixon, Doolittle, Fessenden, Foot, Foster, Gwin, Hale, Hamlin, Harlan, Johnson of Tennessee, King, Pugh, Rice, Seward, Shields, Simmons, Smith, Stuart, Trumbull, Wade, and Wilson—26.

NAYS—Messrs. Allen, Bayard, Benjamin, Bigler, Brown, Chesnut, Clay, Clingman, Davis, Fitch, Fitzpatrick, Green, Hammond, Hunter, Iverson,

Lane, Mallory, Mason, Pearce, Reid, Slidell, Toombs, and Ward—23.

Upon an examination of this vote, it will be seen that the Republicans voted unanimously in the affirmative, and that the Southern Senators were all in the negative, with the solitary exception of Mr. Johnson, of Tennessee.

Of the Northern Democrats, Gwin, Bright, Pugh, Rice, Shields, Smith, and Stuart, all being from the new States, voted for Mr. Wade's motion. The homestead bill was now up, and, so far as its friends were concerned, nothing was asked but a vote, which would not have consumed ten minutes. But a vote was precisely what the Southern managers were determined to avoid.

Instantly, therefore, upon the announcement of the success of Mr. Wade's motion, which brought the bill before the Senate, Mr. Hunter took the floor, and moved that it be set aside, so as to take up another bill, viz: the diplomatic and consular appropriation bill.

No question of order was raised upon this motion of Mr. Hunter, but it was well characterized as "*child's play*," to move to set aside a bill, instantly after a vote to take it up.

Pending some conversational debate upon Mr. Hunter's motion, the hour of twelve o'clock arrived, and the Vice President decided that the Cuba bill, having been assigned for that hour, was the subject pending before the Senate.

Hereupon, Mr. Wade moved to postpone the twelve o'clock order, and continue the consideration of the homestead bill, and this motion prevailed by the following vote:

YEAS—Messrs. Bell, Bright, Broderick, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Johnson of Tennessee, King, Pugh, Rice, Seward, Simmons, Smith, Stuart, Trumbull, Wade, and Wilson—27.

NAYS—Messrs. Allen, Bates, Benjamin, Bigler, Brown, Clay, Clingman, Davis, Fitch, Fitzpatrick, Green, Gwin, Hammond, Hunter, Iverson, Johnson of Arkansas, Lane, Mallory, Mason, Pearce, Reid, Sebastian, Slidell, Toombs, Ward, and Yule—26.

On this vote, an additional Southern Senator, Mr. Bell of Tennessee, ranged himself on the side of homesteads. But this was offset by the ratting back to the negative side of Mr. Gwin.

The homestead bill was now again before the Senate, but the question, as stated by the Vice President, was still upon Mr. Hunter's motion to set it aside, and take up the consular and diplomatic appropriation bill.

Mr. Mason, of Virginia, threatened an "*extended debate*" upon the homestead bill, if its consideration was insisted upon. He declared, at any rate, for himself, that he intended to "*go into it pretty largely, because he had not yet known a bill so fraught with mischief, and mischief of the most demoralizing kind.*"

Mr. Wade and Mr. Seward, in brief and energetic terms, exhorted the friends of the bill to stand firm.

The vote was then taken upon Mr. Hunter's motion, and resulted as follows:

YEAS—Messrs. Allen, Bates, Bayard, Benjamin,

Bigler, Brown, Clay, Clingman, Davis, Fitch, Fitzpatrick, Green, Gwin, Hammond, Hunter, Iverson, Johnson of Arkansas, Kennedy, Lane, Mallory, Mason, Pearce, Reid, Sebastian, Slidell, Toombs, Ward, and Yulee—28.

YEAS—Messrs. Bell, Bright, Broderick, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Houston, Johnson of Tennessee, King, Pugh, Rice, Seward, Simmons, Smith, Stuart, Trumbull, Wade, and Wilson—28.

The vote being a tie, the Vice President, Mr. Breckinridge, voted in the affirmative, and thus, after a long struggle, the homestead bill was, for that day, overslaughed.

Of the twenty-eight votes for overslaughing it, all but five are from the South.

Of the twenty-eight votes in favor of sustaining the bill, only three are from the South, and of these three, only one, Mr. Johnson of Tennessee, has any affiliation with what is called the Democratic party.

Two days afterwards, on the 19th of February, Mr. Wade again moved to set aside all prior orders and take up the homestead bill, but this motion was negatived by the following vote:

YEAS—Messrs. Broderick, Chandler, Clark, Collamer, Dixon, Doolittle, Durkee, Fessenden, Foot, Hale, Hamlin, Harlan, Johnson of Tennessee, Jones, King, Pugh, Rice, Seward, Shields, Simmons, Stuart, Trumbull, Wade, and Wilson—24.

NAYS—Messrs. Allen, Bates, Bayard, Benjamin, Bigler, Bright, Brown, Chesnut, Clay, Clingman, Crittenden, Davis, Fitch, Fitzpatrick, Green, Hammond, Houston, Hunter, Iverson, Kennedy, Mallory, Mason, Pearce, Polk, Reid, Sebastian, Slidell, Smith, Toombs, Ward, and Yulee—31.

Upon the 25th day of February, upon the occasion of a motion by Mr. Slidell to postpone all prior orders and take up the bill for the purchase of Cuba, Mr. Doolittle resisted it, and called upon the friends of homesteads to vote it down, so that he himself might submit a motion to take up the homestead bill.

The vote was then taken, and the motion to take up the Cuba bill prevailed, as follows:

YEAS—Messrs. Allen, Bayard, Bell, Benjamin, Bigler, Brown, Chesnut, Clay, Clingman, Davis, Fitch, Fitzpatrick, Green, Gwin, Hammond, Houston, Hunter, Iverson, Jones, Lane, Mallory, Mason, Polk, Pugh, Reid, Rice, Sebastian, Shields, Slidell, Smith, Stuart, Toombs, Ward, Wright, and Yulee—35.

NAYS—Messrs. Broderick, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Johnson of Tennessee, Kennedy, King, Pearce, Seward, Simmons, Trumbull, Wade, and Wilson—24.

The Cuba bill was now up, and the discussion upon it protracted the session late into the night, and almost into the next morning.

At ten o'clock in the evening, Mr. Doolittle felt it to be his duty to renew the attempt to set aside the Cuba bill, the subject-matter of a manifestly idle debate, so as to take up the homestead bill. His motion to that effect, and the commencement of the debate upon it, will be

found on page 1351 of the *Congressional Globe*. Such extracts are made as will exhibit its general character:

"MR. TRUMBULL. If there was any assurance that the homestead bill could be taken up, after the Cuba question was disposed of, I should be willing to see it have the go-by on the present occasion; but we have sought repeatedly to bring up the homestead bill, and every movement that has been made to bring it up has been met with a counter movement, crowding it out of the way with something else. * * *

"MR. SEWARD. After nine hours yielding to the discussion of the Cuba question, it is time to come back to the great question of the day and the age. The Senate may as well meet face to face the issue which is before them. It is an issue presented by the competition between these two questions. One, the homestead bill, is a question of homes, of lands for the landless freemen of the United States. The Cuba bill is the question of slaves for the slaveholders of the United States.

Mr. Toombs resisted the motion, and denounced the measure as a bill to give lands to the lacklanders.

"MR. WADE. I am very glad that this question has at length come up. I am glad, too, that it has antagonized with this nigger question. [Laughter.] I have been trying here for nearly a month to get a straight-forward vote upon this great measure of land for the landless. I glory in that measure. It is the greatest that has ever come before the American Senate, and it has now come so that there is no dodging it. The question will be, shall we give niggers to the niggerless, or lands to the landless.

"I moved some days ago to take up this subject. It was said then that there was an appropriation bill that stood in the way. The Senator from Virginia had his appropriation bills. It was important, then, that they should be settled at once; there was danger that they would be lost, and the Government would stop in consequence; and the appeal was made to gentlemen to give this bill the go-by for the time being, at all events, and the appeal was successful. The appropriation bills lie very easy now behind this nigger operation. [Laughter.] When you come to niggers for the niggerless, all other questions sink into insignificance."

Mr. Doolittle's motion, to set aside the Cuba bill for the purpose of taking up the homestead bill, was lost, by the following vote:

YEAS—Messrs. Broderick, Cameron, Clark, Chandler, Collamer, Doolittle, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, Johnson of Tennessee, King, Seward, Simmons, Trumbull, Wade, and Wilson—19.

NAYS—Messrs. Allen, Benjamin, Bayard, Bigler, Brown, Chesnut, Clay, Clingman, Douglas, Fitch, Fitzpatrick, Green, Gwin, Hunter, Iverson, Johnson of Arkansas, Lane, Mallory, Mason, Polk, Pugh, Reid, Rice, Sebastian, Shields, Slidell, Toombs, Ward, and Wright—29.

This was the last of the homestead bill at the session of 1858-'9. Almost as soon as the House

was organized at the last session, Mr. Grow, of Pennsylvania, presented the bill known as

THE HOUSE BILL,

which was referred to the Committee on Agriculture, and which provided as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his intention to become such, as required by the naturalization laws of the United States, shall, from and after the passage of this act, be entitled to enter, free of cost, one hundred and sixty acres of unappropriated public lands, upon which said person may have filed a pre-emption claim, or which may, at the time the application is made, be subject to pre-emption at one dollar and twenty-five cents, or less, per acre; or eighty acres of such unappropriated lands, at two dollars and fifty cents per acre; to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same shall have been surveyed.

"SEC. 2. *And be it further enacted*, That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years or more of age, and that such application is made for his or her exclusive use and benefit, and those specially mentioned in this act, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever; and upon filing the affidavit with the register or receiver, he or she shall thereupon be permitted to enter the quantity of land specified: *Provided, however*, That no certificate shall be given or patent issued therefor until the expiration of five years from the date of such entry; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry—or if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death—shall prove by two credible witnesses that he, she, or they, have resided upon and cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, then, in such case, he, she, or they, if at that time a citizen of the United States, shall, on payment of ten dollars, be entitled to a patent, as in other cases provided for by law: *And provided, further*, That in case of the death of both father and mother, leaving an infant child, or children, under twenty-one years of age, the right and fee shall enure to the benefit of said infant child or children; and the executor, administrator, or guardian, may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children for the time being have their domicile, sell said land for the benefit of said infants, but for no other purpose; and the purchaser shall acquire

the absolute title by the purchase, and be entitled to a patent from the United States, on payment of the office fees and sum of money herein specified.

"SEC. 3. *And be it further enacted*, That the register of the land office shall note all such applications on the tract-books and plats of his office, and keep a register of all such entries, and make return thereof to the General Land Office, together with the proof upon which they have been founded.

"SEC. 4. *And be it further enacted*, That all lands acquired under the provisions of this act shall in no event become liable to the satisfaction of any debt or debts contracted prior to the issuing of the patent therefor.

"SEC. 5. *And be it further enacted*, That if, at any time after the filing of the affidavit, as required in the second section of this act, and before the expiration of the five years aforesaid, it shall be proven, after due notice to the settler, to the satisfaction of the register of the land office, that the person having filed such affidavit shall have actually changed his or her residence, or abandoned the said entry for more than six months at any time, then, and in that event, the land so entered shall revert to the Government.

"SEC. 6. *And be it further enacted*, That no individual shall be permitted to make more than one entry under the provisions of this act; and that the Commissioner of the General Land Office is hereby required to prepare and issue such rules and regulations, consistent with this act, as shall be necessary and proper to carry its provisions into effect; and that the registers and receivers of the several land offices shall be entitled to receive the same compensation for any lands entered under the provisions of this act that they are now entitled to receive when the same quantity of land is entered with money, one half to be paid by the person making the application at the time of so doing, and the other half on the issue of the certificate by the person to whom it may be issued: *Provided*, That nothing contained in this act shall be so construed as to impair or interfere in any manner whatever with existing pre-emption rights: *And provided, further*, That all persons who may have filed their applications for a pre-emption right prior to the passage of this act shall be entitled to all privileges of this act."

The same bill, which was presented a few days afterwards by Mr. Aldrich, of Minnesota, was referred to the Committee on Public Lands, and Mr. Lovejoy promptly reported it from that committee, and on the 12th March it passed the House by the following vote:

YEAS—Messrs. Adrain, Aldrich, Ashley, Bab-bitt, Barr, Bingham, Blake, Briggs, Buffinton, Burch, Burnham, Campbell, Carey, Carter, Case, John Cochrane, Colfax, Conklin, Cooper, Corcinn, Covode, Cox, James Craig, Curtis, John G. Davis, Dawes, Delano, Duell, Dunn, Edgerton, Eliot, English, Fenton, Ferry, Florence, Foster, Fouke, Frank, French, Gooch, Graham, Grow, Gurley, Hale, Hall, Haskin, Helmick, Hickman, Hoard, Holman, How-

ard, Humphrey, Hutchins, Junkin, Francis W. Kellogg, Kilgore, Killinger, Larrabee, De Witt C. Leach, Lee, Logan, Loomis, Lovejoy, Maclay, Marston, Charles D. Martin, McClernaud, McKean, McKnight, McPherson, Millward, Morris, Edward Joy Morris, Morse, Niblack, Olin, Pendleton, Perry, Porter, Potter, Pottle, Rice, Riggs, Christopher Robinson, James C. Robinson, Royce Schwartz, Scott, Scranton, Sherman, Sickles, Somes, Spinner, Stanton, Stout, Stratton, Tappan, Thayer, Tompkins, Train, Trimble, Vallandigham, Vandever, Van Wyck, Verree, Waldron, Walton, Cadwalader C. Washburn, Ellihu B. Washburne, Israel Washburn, Wells, Wilson, Windom, and Woodruff—115.

NAYS—Messrs. GREEN ADAMS, THOMAS L. ANDERSON, WILLIAM C. ANDERSON, Avery, Barksdale, Bocock, Bonham, BRABSON, Branch, BRISTOW, Burnett, Clifton, Cobb, Curry, H. WINTER DAVIS, Reuben Davis, De Jarnette, Edmundson, ETHERIDGE, Garnett, Gartrell, GILMER, Hamilton, HARDEMAN, J. MORRISON HARRIS, HATTON, HILL, Hindman, Houston, Hughes, Jackson, Jenkins, Jones, Keitt, Lamar, Landrum, Leake, Love, MALLORY, Elbert S. Martin, MAYNARD, McQueen, McRea, Miles, Millson, Montgomery, Sydenham Moore, NELSON, Noell, Peyton, Pryor, Pugh, Reagan, Ruffin, Simms, Singleton, William Smith, WILLIAM N. H. SMITH, Stevenson, STOKES, Underwood, VANCE WEBSTER, Whiteley, Woodson, and Wright—65.

The bill was antagonized in the Senate by a bill with the same title, but which had none of the essential features of a homestead law, and many of the Democratic Senators declared that it was because it was not a homestead law that they were enabled to vote for it. See remarks of Mr. Davis, page 2043; and of Mr. Green, 1991.

The bill known as

THE SENATE BILL

is as follows :

“ A Bill to secure homesteads to actual settlers on the public domain and for other purposes

“ *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person who is the head of a family, and a citizen of the United States, shall, from and after the passage of this act, be entitled to enter one quarter section of vacant and unappropriated public lands, or any less quantity, to be located in a body, in conformity with the legal subdivisions of the public lands, and after the same shall have been surveyed and become subject to private entry, upon the following conditions: That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit, before the said register, that he or she is the head of a family, and is actually settled on the quarter section or other subdivisions not exceeding a quarter section, proposed to be entered, and that such application is made for his or her use and benefit, or for the use and benefit of those specially mentioned in this section, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever, and that he or

she has never, at any previous time, had the benefit of this act; and upon making the affidavit as above required, and filing the same with the register, he or she shall thereupon be permitted to enter the quantity of land already specified: *Provided, however*, That no final certificate shall be given, or patent issued therefor, until the expiration of five years from the date of such entry; and if, at the expiration of such time, the person making such entry, or, if he be dead, his widow, or, in case of her death, his child or children, or, in case of a widow making such entry, her child or children, in case of her death, shall prove by two credible witnesses that he, she, or they—that is to say, some member or members of the same family—has or have erected a dwelling-house upon said land, and continued to reside upon and cultivate the same for the term of five years, and still reside upon the same, (and that neither the said land nor any part thereof has been alienated;) then, in such case, he, she, or they, upon the payment of twenty-five cents per acre for the quantity entered, shall be entitled to a patent, as in other cases provided by law: *And provided, further*, In case of the death of both father and mother, leaving a minor child or children, the right and the fee shall inure to the benefit of said minor child or children, and the guardian shall be authorized to perfect the entry for the beneficiaries, as if there had been a continued residence of the settler for five years.

“ *Sec. 2. And be it further enacted*, That the register of the land office shall note all such applications on the tract books and plats of his office, and keep a register of all such entries, and make return thereof to the General Land Office, together with the proof upon which they have been founded.

“ *SEC. 3. And be it further enacted*, That no land acquired under the provisions of this act shall, in any event, become liable to the satisfaction of any debt or debts until after the issuing of the patent therefor.

“ *Sec. 4. And be it further enacted*, That if, at any time after filing the affidavit, as required in the first section of this act, and before the expiration of the five years aforesaid, it shall be proved, after due notice to the settler, to the satisfaction of the register of the land office, that the person having filed such affidavit shall have sworn falsely in any particular, or shall have voluntarily abandoned the possession and cultivation of the said land for more than six months at any time, or sold his right under the entry, then, and in either of those events, the register shall cancel the entry, and the land so entered shall revert to the Government, and be disposed of as other public lands are now by law, subject to an appeal to the Secretary of the Interior. And in no case shall any land, the entry whereof shall have been cancelled, again be subject to occupation, or entry, or purchase, until the same shall have been reported to the General Land Office, and, by the direction of the President of the United States, again advertised and offered at public sale.

"SEC. 5. *And be it further enacted*, That if any person, now, or hereafter, a resident of any one of the States or Territories, and not a citizen of the United States, but who, at the time of making such application for the benefit of this act, shall have filed a declaration of intention, as required by the naturalization laws of the United States, and shall have become a citizen of the same before the issuing of the patent, as provided for in this act, such person shall be entitled to all the rights conferred by this act.

"SEC. 6. *And be it further enacted*, That no individual shall be permitted to enter more than one quarter section, or fractional quarter section, and that in a compact body; but entries may be made at different times, under the provisions of this act; and that the Secretary of the Interior is hereby required to prepare and issue, from time to time, such rules and regulations, consistent with this act, as shall be necessary and proper to carry its provisions into effect; and that the registers and receivers of the several land offices shall be entitled to receive, upon the filing of the first affidavit, the sum of fifty cents each, and a like sum upon the issuing of the final certificate. But this shall not be construed to enlarge the maximum of compensation now prescribed by law for any register or receiver: *Provided*, That nothing in this act shall be so construed as to impair the existing pre-emption, donation, or graduation laws, or to embrace lands which have been reserved to be sold or entered at the price of two dollars and fifty cents per acre; but no entry, under said graduation act, shall be allowed until after proof of actual settlement and cultivation or occupancy for at least three months, as provided for in section three of the said act.

"SEC. 7. *And be it further enacted*, That each actual settler upon lands of the United States which have not been offered at public sale, upon filing his declaration or claim, as now required by law, shall be entitled to two years from the commencement of his occupation or settlement, or, if the lands have not been surveyed, two years from the receipt of the approved plat of such lands at the district land office, within which to complete the proofs of his said claim, and to enter and pay for the land so claimed, at minimum price of such lands; and where such settlements have already been made in good faith, the claimant shall be entitled to the said period of two years from and after the date of this act: *Provided*, That no claim of pre-emption shall be allowed for more than one hundred and sixty acres, or one quarter section of land, nor shall any such claim be admitted under the provisions of this act, unless there shall have been at least three months of actual and continuous residence upon and cultivation of the land so claimed from the date of settlement, and proof thereof made according to law: *Provided, further*, That any claimant, under the pre-emption laws, may take less than one hundred and sixty acres by legal subdivisions.

"SEC. 8. *And be it further enacted*, That in re-

gard to all lands which have been or may hereafter be surveyed, it shall be the duty of the President to order the same into market, by public proclamation, within two years from the date of this act, or the reception of the approved plats of survey for the same at the proper district office: *Provided*, That such proclamations shall in no wise affect or be construed to embrace any lands which the President or the proper department may have ordered to be reserved for any purpose.

"SEC. 9. *And be it further enacted*, That the fifth section of the act entitled, 'An act in addition to an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes,' approved the third of March, in the year eighteen hundred and fifty-seven, shall extend to all oaths, affirmations, and affidavits, required or authorized by this act.

"SEC. 10. *And be it further enacted*, That nothing in this act shall be so construed as to prevent any person who has availed him or herself of the benefit of the first section of this act from paying the minimum price, or the price to which the same may have graduated, for the quantity of land so entered at any time before the expiration of the five years, and obtaining a patent therefor from the Government, as in other cases provided by law.

"SEC. 11. *And be it further enacted*, That all lands lying within the limits of a State, which have been subject to sale at private entry, and which remain unsold after the lapse of thirty years, shall be, and the same are hereby, ceded to the State in which the same may be situated: *Provided*, These cessions shall in no way invalidate any inceptive pre-emption right or location, or any entry under this act, nor any sale or sales which may be made by the United States before the lands hereby ceded shall be certified to the State, as they are hereby required to be, under such regulations as may be prescribed by the Secretary of the Interior: *And provided, further*, That no cessions shall take effect until after the States, by legislative act, shall have assented to the same."

The points of difference between the House and Senate bills were accurately stated by Mr. Colfax, page 2988. He said:

"There are five points of difference between the two bills. The first is in relation to the persons who may be beneficiaries under the bill. The second is in relation to the area of Government land covered by the bill. The third point is in relation to the pre-emptors now upon the land. The fourth, in relation to the price of the land. And the fifth, in relation to the duty of the President to expose lands to sale.

"The first point is in relation to the beneficiaries under the bill. The House bill embraces all persons, citizens of the United States, or who have declared their intentions to become such, whether heads of families or not, if they are over twenty-one years of age.

"The Senate bill confines the benefit to heads of families alone, excluding the young men,

' who furnish the largest portion of the defenders of our country in time of war, and who are a most valuable portion of our population.

"Under the second head, the House bill includes all pre-emptors now upon the land, and allows them, as well as those who settle hereafter, to have a quarter section for ten dollars, after five years' settlement thereon. The Senate bill excludes the pre-emptors now upon the public land from its operation, but gives them two years after the passage of the bill to take the land at full Government price, one dollar and twenty-five cents per acre. And I would add, in regard to this, that the House have passed a bill, still pending in the Senate, prohibiting sales of public lands till ten years after survey, and which, if passed, would give the actual settler ten years start of the speculator. The pre-emptors already upon the public land cannot take the quarter section they are now upon, under the Senate bill, unless they pay the Government price for it. If it is not paid for by them, it must be put up at public sale, and speculators take an equal chance with them. To secure the benefit of the Senate bill, the present pre-emptors will have to abandon the homesteads they are on, with what improvements they have made, and claim another quarter section.

"The third point is in reference to the land covered by the two bills. The House bill applies to all lands subject to pre-emption. This covers all lands owned by the Government which are not reserved for special purposes. The Senate bill is confined to lands subject to private entry, which are lands remaining after public sale, and after non-resident speculators have had their pick and choice. Even then, a speculator, with a land warrant costing him about sixty or seventy cents per acre, can obtain a fee simple title at once; while the actual settler must stay on his land five years before he can obtain his title, and then pay twenty-five cents per acre, besides the land office fees.

"The next point is in regard to the price. The Senate bill requires twenty-five cents per acre, or forty dollars for a quarter section, which is twice as costly as the graduated public lands in Missouri, &c. The House bill requires only ten dollars, which is charged to cover the cost of surveying, field notes, &c., incurred by the Government.

"The next point is in regard to the duty of the President to expose the lands to public sale. There is nothing in relation to that matter in the House bill. The Senate bill requires and compels the President to expose all the public lands to sale within two years after survey—an entirely new feature, never before incorporated in a land bill.

"The Senate bill has also another provision, which has no correlative feature in the House bill. It grants to the States all lands in their respective limits, after having been in market thirty years.

"I have only to add, that there is no land subject to the provision of the Senate bill in Minnesota, nor in Washington or Oregon, and

' but very little in California, Kansas, and Nebraska, as there is but little Government land there subject to private entry."

The great body of the Democratic party in the Senate were nevertheless anxious to defeat any bill, as they had previously done by non-action, and a protracted debate took place, and it was not until the 10th May, more than two months after the reception of the bill from the House, that the Republicans of the Senate, aided by Senator Johnson, of Tennessee, could bring them to a vote. On that day, the question between the Senate and House bills was decided by the following vote:

YEAS—Messrs. *Anthony, Bingham, Cameron, Chandler, Clark, Collamer, Dixon, Doolittle, Douglas, Durkee, Foster, Grimes, Hale, Hamlin, Harlan, King, Rice, Seward, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, and Wilson*—25.

NAYS—Messrs. *Bayard, Bigler, Bragg, Bright, Brown, Chesnut, Clay, Clingman, Davis, Fitzpatrick, Green, Gwin, Hammond, Hemphill, Hunter, Johnson of Arkansas, Johnson of Tennessee, Lane, Latham, Mason, Nicholson, Pearce, Polk, Powell, Pugh, Sebastian, Slidell, Toombs, Wigfall, and Yulee*—30.—*Page 2042.*

This was substantially the rejection of the homestead law, and was so regarded not only by the Democrats, as we have seen, but by the Republicans. But as the Senate bill gave a little time to pre-emptors, Mr. Wilson, of Massachusetts, and the Republicans generally, determined, but reluctantly, to accept even that much till they could do better. But the Senate bill, whilst doing so little for the settler at present, contained provisions, as for example that ceding the lands to the States, and requiring all surveyed lands to be offered for sale, which might embarrass the action of the friends of the homestead in the next Congress, when they will have full power; and for this reason many Republicans were strongly inclined to vote against the bill, and Mr. Hamlin, with characteristic firmness, acted on his judgment, and voted against the Senate bill, for this reason. He said:

"I am very much in the same situation with the Senator from Massachusetts, with this distinction: I am against the bill, and I am going to vote against it; I am going to leave a record consistent with my judgment. I think the bill is wrong. I do not think there would be much harm in worshipping it, for I do not think it bears any similitude to anything above the earth or beneath the skies that you can call a homestead. The men who have taken it under their peculiar care are the enemies of the homestead principle, and they propose to pass it. I am perfectly willing they should do so; but they tell us, and they tell us frankly, that it is not a homestead bill, and it is not. Now, sir, if it being no homestead bill, I will not vote for it. I voted to substitute the House bill for this bill; but those who have the control of the matter have put it into a position which I think is unjust. There are things in that bill for which I cannot vote. There are things that ought to go into it to make it justifiable, to

' enable me to give it my vote. For these reasons I shall vote against it.'

The vote on the passage of the Senate bill was as follows :

YEAS—Messrs. *Anthony, Bigler, Bingham, Bright, Brown, Cameron, Chandler, Chesnut, Clark, Clay, Collamer, Davis, Dix, Doolittle, Douglas, Durker, Fitzpatrick, Foster, Green, Grimes, Gwin, Hale, Hammond, Harlan, Hemp-hill, Johnson of Arkansas, Johnson of Tennessee, King, Lane, Latham, Nicholson, Polk, Pugh, Rice, Sebastian, Seward, Slidell, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilson, and Yulee*—44.

NAYS—Messrs. *Bragg, Clingman, Hamlin, Hunter, Mason, Pearce, Powell, and Toombs*—8. Page 2043.

The House refused to concur in the Senate bill, and reinstated their own bill by substantially the same vote by which it had been passed. (Page 2222.) Two committees of conference met and separated without being able to concur in a report. A third committee, however, on the 19th June, (pages 3178, 3159,) agreed to report the following, known as

THE CONFERENCE COMMITTEE BILL.

' An Act to secure homesteads to actual settlers on the public domain, and for other purposes.

' *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That any person who is the head of a family, and a citizen of the United States, shall, from and after the passage of this act, be entitled to enter one quarter section of vacant and unappropriated public lands, or any less quantity, to be located in a body, in conformity with the legal subdivisions of the public lands, after the same shall have been surveyed, upon the following conditions: that the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver of said land office that he or she is the head of a family, and is actually settled on the quarter section, or other subdivisions not exceeding a quarter section, proposed to be entered, and that such application is made for his or her use and benefit, or for the use and benefit of those specially mentioned in this section, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever, and that he or she has never, at any previous time, had the benefit of this act; and upon making the affidavit as above required, and filing the same with the register, he or she shall thereupon be permitted to enter the quantity of land already specified: *Provided, however,* That no final certificate shall be given, or patent issued therefor, until the expiration of five years from the date of such entry; and if, at the expiration of such time, the person making such entry, or, if he be dead, his widow, or, in case of her death, his child or children, or in case of a widow making such entry, her child or children, in case of her death, shall prove, by two credible witnesses, that he, she, or they—that

' is to say, some member or members of the same family—has or have erected a dwelling-house upon said land, and continued to reside upon and cultivate the same for the term of five years, and still reside upon the same, (and that neither the said land nor any part thereof has been alienated;) then, in such case, he, she, or they, upon the payment of twenty-five cents per acre for the quantity entered, shall be entitled to a patent, as in other cases provided by law: *And provided, further,* In case of the death of both father and mother, leaving a minor child or children, the right and the fee shall inure to the benefit of said minor child or children, and the guardian shall be authorized to perfect the entry for the beneficiaries, as if there had been a continued residence of the settler for five years: *Provided,* That nothing in this section shall be so construed as to embrace or in any way include any quarter section or fractional quarter section of land upon which any pre-emption right has been acquired prior to the passage of this act: *And provided, further,* That all entries made under the provisions of this section upon lands which have not been offered for public sale shall be confined to and upon sections designated by odd numbers.

' SEC. 2. *And be it further enacted,* That the register of the land office shall note all such applications on the tract books and plats of his office, and keep a register of all such entries, and make return thereof to the General Land Office, together with the proof upon which they have been founded.

' SEC. 3. *And be it further enacted,* That no land acquired under the provisions of this act shall, in any event, become liable to the satisfaction of any debt or debts until after the issuing of the patent therefor.

' SEC. 4. *And be it further enacted,* That if, at any time after filing the affidavit, as required in the first section of this act, and before the expiration of the five years aforesaid, it shall be proved, after due notice to the settler, to the satisfaction of the register of the land office, that the person having filed such affidavit shall have sworn falsely in any particular, or shall have voluntarily abandoned the possession and cultivation of the said land for more than six months at any time, or sold his right under the entry, then, and in either of those events, the register shall cancel the entry, and the land so entered shall revert to the Government, and be disposed of as other public lands are now by law, subject to an appeal to the Secretary of the Interior. And in no case shall any land, the entry whereof shall have been cancelled, again be subject to occupation, or entry, or purchase, until the same shall have been reported to the General Land Office, and, by the direction of the President of the United States, again advertised and offered at public sale.

' SEC. 5. *And be it further enacted,* That if any person, now or hereafter, a resident of any one of the States or Territories, and not a citizen of the United States, but who, at the time of making such application for the benefit of this act, shall have filed a declaration of intention,

as required by the naturalization laws of the United States, and shall have become a citizen of the same before the issuing of the patent, as provided for in this act, such person shall be entitled to all the rights conferred by this act.

"SEC. 6. *And be it further enacted*, That no individual shall be permitted to enter more than one quarter section, or fractional quarter section, and that in a compact body, but entries may be made at different times, under the provisions of this act; and that the Secretary of the Interior is hereby required to prepare and issue, from time to time, such rules and regulations, consistent with this act, as shall be necessary and proper to carry its provisions into effect; and that the registers and receivers of the several land offices shall be entitled to receive, upon the filing of the first affidavit, the sum of fifty cents each, and a like sum upon the issuing of the final certificate. But this shall not be construed to enlarge the maximum of compensation now prescribed by law for any register or receiver; *Provided*, That nothing in this act shall be so construed as to impair the existing pre-emption, donation, or graduation laws, or to embrace lands which have been reserved to be sold or entered at the price of two dollars and fifty cents per acre; but no entry, under said graduation act, shall be allowed until after proof of actual settlement and cultivation or occupancy for at least three months, as provided for in section three of the said act.

"SEC. 7. *And be it further enacted*, That each actual settler upon lands of the United States which have not been offered at public sale, upon filing his declaration or claim, as now required by law, shall be entitled to two years from the commencement of his occupation or settlement, or, if the lands have not been surveyed, two years from the receipt of the approved plat of such lands at the district land office, within which to complete the proofs of his said claim, and to enter and pay for the land so claimed, at minimum price of such lands; and where such settlements have already been made in good faith, the claimant shall be entitled to the said period of two years from and after the date of this act: *Provided*, That no claim of pre-emption shall be allowed for more than one hundred and sixty acres, or one quarter section of land, nor shall any such claim be admitted under the provisions of this act, unless there shall have been at least three months of actual and continuous residence upon and cultivation of the land so claimed from the date of settlement, and proof thereof made according to law; *Provided, further*, That any claimant under the pre-emption laws may take less than one hundred and sixty acres by legal subdivisions: *Provided, further*, That all persons who are pre-emptors on the date of the passage of this act shall, upon the payment to the proper authority of sixty-two and one-half cents per acre, if paid within two years from the passage of this act, be entitled to a patent from the Government,

as now provided by the existing pre-emption laws.

"SEC. 8. *And be it further enacted*, That the fifth section of the act entitled "An act in addition to an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved the third of March, in the year eighteen hundred and fifty-seven, shall extend to all oaths, affirmations, and affidavits, required or authorized by this act.

"SEC. 9. *And be it further enacted*, That nothing in this act shall be so construed as to prevent any person who has availed him or herself of the benefit of the first section of this act from paying the minimum price, or the price to which the same may have graduated, for the quantity of land so entered at any time after an actual settlement of six months, and before the expiration of the five years, and obtaining a patent therefrom from the Government, as in other cases provided by law.

"SEC. 10. *And be it further enacted*, That all lands lying within the limits of a State which have been subject to sale at private entry, and which remain unsold after the lapse of thirty years, shall be, and the same are hereby, ceded to the State in which the same may be situated: *Provided*, These cessions shall in no way invalidate any inceptive pre-emption right or location, or any entry under this act, nor any sale or sales which may be made by the United States before the lands hereby ceded shall be certified to the State, as they are hereby required to be, under such regulations as may be prescribed by the Secretary of the Interior: *And provided, further*, That no cessions shall take effect till after the States, by legislative act, shall have assented to the same."

Which passed the Senate by the following vote:

YEAS—Messrs. Anthony, Bigler, Bingham, Brown, Cameron, Chandler, Clark, Davis, Doolittle, Fitch, Fitzpatrick, Foot, Foster, Green, Gwin, Hale, Hamlin, Harlan, Johnson of Tennessee, King, Lane, Latham, Mallory, Nicholson, Polk, Powell, Rice, Sebastian, Seward, Simmons, Sumner, Trumbull, Wade, Wilkinson, Wilson, and Yulee—36.

NAYS—Messrs. Bragg and Pearce—2.

And the House by the following vote:

YEAS—Messrs. Charles F. Adams, Aldrich, Allen, Alley, Ashley, Babbitt, Barr, Beale, Bingham, Francis P. Blair, Samuel S. Blair, Blake, Brayton, Briggs, Buffinton, Burch, Burlingame, Burnham, Butterfield, Campbell, Carey, Carter, Case, Horace F. Clark, Cobb, Colfax, Corwin, Corode, Cox, Curtis, John G. Davis, Dawes, Delano, Duell, Dunn, Edgerton, Edwards, Eliot, Ely, Ferry, Florence, Foster, Frank, French, Gooch, Graham, Grow, Gurley, Hale, Hall, Haskin, Helmick, Hoard, William Howard, Humphrey, Hutchins, Junkin, Francis W. Kellogg, William Kellogg, Kenyon, Killinger, De Witt C. Leach, Lee, Longnecker, Loomis, Maclay, Marston, McKean, McKnight, McPherson, Millward, Moorhead, Morrill, Edward Joy Morris, Isaac N. Morris, Morse, Niblack, Nixon, Olin, Palmer, Pendleton, Perry, Pet-

tit, Phelps, Porter, Potter, Rice, Riggs, Christopher Robinson, Royce, Sedgwick, Sherman, Somes, Spaulding, Spinner, Stanton, William Stewart, Stout, Tappan, Taylor, Thayer, Theaker, Tompkins, Train, Trimble, Vandever, Van Wyck, Verree, Wade, Walton, Cadwalader C. Washburn, Ellihu B. Washburne, Israel Washburn, Wells, Windom, and Woodruff—115.

NAYS—MESSRS. GREEN ADAMS, WILLIAM C. ANDERSON, Ashmore, Avery, Barksdale, Bocoock, Bonham, Boyce, BRANSON, Branch, Burnett, Clapton, Burton Craige, Crawford, Curry, De Jarnette, GILMER, HARDEMAN, J. MORRISON HARRIS, John T. HARRIS, HATTON, Houston, Jenkins, Jones, Keitt, Landrum, James M. Leach, Leake, Love, MALLORY, MAYNARD, McQueen, Miles, Millson, Sydenham Moore, NELSON, Peyton, QUARLES, Reagan, Ruffin, William Smith, WILLIAM N. H. SMITH, STEVENSON, STOKES, Thomas, Underwood, VANCE, WEBSTER, Winslow, Woodson, and Wright—51.

On the 23d of June, the President vetoed the bill. His objections were thus briefly but fairly stated, and answered by Senator Harlan. He said:

"1. His first objection is, that Congress has no power to give away the public lands to either individuals or States. But this bill proposes to sell them to speculators, as heretofore, at \$1.25 per acre, and to homestead settlers at twenty-five cents per acre. Hence no gift is proposed; it is a reduction of price to the actual settler. It is true, it grants to the States all lands that have been exposed to sale for thirty years, and for five years of that period offered at twenty-five cents per acre. This, too, is not in the nature of a gift, but an abandonment of property to the States, that has ceased to be of value to the Government. This feature of the bill was defended by the Senator from Alabama, [Mr. CLAY,] with ability, on the ground that, after lands had been exposed for sale for thirty years at graduated prices, running down to twenty-five cents per acre, the entire proceeds of sales would not defray the expenses of the land offices. Hence it would cease to be of value to this Government. Certainly no one can pretend that this Government has no power to abandon worthless property.

"2. His second objection is, that this bill would prove unjust and unequal in its operation among the actual settlers themselves; that those who have heretofore settled on and purchased public lands have paid \$1.25 per acre; if you now reduce the price to sixty-two and a half or twenty-five cents per acre, you treat the first purchasers unjustly, and you will be required to refund to them the difference. Well, sir, such an argument hardly merits a moment's thought. It implies the declaration that Congress has no power to reduce the price of public property without refunding to all others who may have bought at a higher rate! And that, too, in the face of his own declaration, contained in this same veto message, that the price was heretofore reduced from \$2 to \$1.25; and yet no one has heard a clamor, or even a request to have you refund from the Treasury

to the first purchaser the difference in price of seventy-five cents per acre.

"3. His third objection is, that the bill will do great injustice to the old soldiers who have received bounty land warrants, by reducing their value in the market. Now, sir, when these bounty land warrants were authorized to be issued, they were not assignable; it is merely a grant to the old soldier, of the right to enter a piece of land without pay; it was a donation of land to the soldier. The warrants were afterwards made assignable, for the benefit of the soldier who could not or would not select and enter land. Who ever dreamed that, by this act making land warrants assignable, Congress entered into an implied obligation to maintain their value in the market by withholding lands from market at less than \$1.25 per acre? Neither the Congress nor the Executive seem to think so, when the graduation bill became a law.

"4. His fourth objection is, that this bill would be unjust to mechanics, and other classes of citizens than agriculturists, requiring them to change their modes of life. How so? Is it not broad enough in its provisions to embrace all? Every head of a family, a citizen of the United States, or who has declared his intention to become such, may settle on and occupy his homestead, whether farmer or mechanic, lawyer or doctor; none are inhibited. If they decline to do so, it is not the fault of the law; nor does the bill require any one to change his calling as a prerequisite to settlement.

"5. His fifth objection is, that the bill would be unjust to the old States, in diminishing the marketable value of their lands, and holding out a premium to their citizens to emigrate to the new States. This may be a very good argument when addressed to the State pride of the Representatives of the old States, but not very creditable to their humanity. Who are the citizens of the new States? Your sons and daughters—the children and grandchildren of your people at home! And the President of this Republic invites you to adopt a policy that will retain them around the old homestead and worn-out lands, to struggle with penury and want—to become the hewers of wood and the drawers of water of hard-hearted landlords—rather than to send them to the fertile lands of the new States, to build up for themselves fortunes and happy homes.

"6. His sixth objection is, that 'this bill will open one vast field for speculation. Large numbers of actual settlers will be carried out by capitalists, upon agreements to give them half of the land for the improvement of the other half.' This objection will excite the ridicule of every settler in a new State who sees it. How much would it cost the capitalist to remove families from the old States to the unoccupied public lands in the new States and Territories, and maintain them until they can cultivate a crop, and live on the proceeds of their own industry? No one will pretend that it can be done for less than \$100 per family. In what, then, will consist the speculator's profit? He will advance \$100 or so, to transport and feed a family, and

keep them on 160 acres of public land during a period of five years, for the privilege of entering eighty acres of the land at twenty-five cents per acre, in pursuance of a secret bargain made with the settler in violation of law, and consequently void, when he can go direct to the land office and enter his eighty acres, without delay and hazard, for \$100.

"7. His seventh objection is the allegation that this bill discriminates against native-born citizens, in favor of the foreign-born. The Senator from Ohio has characterized this objection as beneath the dignity of a legal quibble. And no one doubts that the President gives this part of the bill a construction not intended by the framer of the bill, or either of the Committees on Public Lands, or any one member of either branch of Congress; and hence, if susceptible of such a construction, it could be remedied, by the passage of a joint resolution, in less than thirty minutes.

"8. His eighth objection is an allegation of an unjust discrimination between persons now claiming the benefit of pre-emption laws, who are permitted by this bill to enter, within two years, their quarter sections, at sixty-two and a half cents per acre, and future pre-emptors, who, he says, will be required to pay \$1.25 per acre. This is an unfair statement, only so far as it applies to pre-emptors on unsurveyed public lands. The bill provides that hereafter the settlers on the odd sections of the unsurveyed lands, and all the lands subject to sale at private entry, may, at the expiration of five years, enter them for twenty-five cents per acre; and that those who go out beyond the surveys may enter by paying \$1.25 per acre within two years from the receipt of the approved plats of the surveys at the local land offices. This, in my judgment, is the correct policy; it tends to restrain settlements within the public surveys; it will cause settlements to follow, rather than run beyond, the surveys; it will tend to make the settlements more compact and the frontiers more defensible.

"9. The ninth objection is an allegation that the passage of the bill will diminish materially the public revenue. In my opinion, this is a delusion. We have had but one illustration in the history of the Government of the effect of such a law as is now proposed. This occurred in Oregon. Each head of a family was allowed to enter without cost 320 acres of land after settlement and occupancy for a term of four years. I have been informed by the Senator from Oregon that full 72 per cent. of these claims were purchased by the occupants at \$1.25 per acre, previous to the expiration of that short period. So it will be under this bill, should it become a law. A large majority of the settlers will enter their homes at \$1.25 per acre before the expiration of the five years. There are many reasons for this, with which I am perfectly familiar, having been born and brought up on the frontier. I will mention but one. The land, with the progress of settlements and improvements, will rapidly increase in value. The first settlers will desire to sell, or to be in a condition to sell their improve-

ments, for the purpose of bettering their condition, which cannot be done under the provisions of this bill until after title shall have been obtained from the Government.

"10. The tenth objection is the allegation that this bill destroys an inheritance of vast value, to which we may resort for revenue in times of difficulty and danger. But our experience proves that, during times of war, embarrassment, and financial difficulty, the proceeds of the sales of public lands become merely nominal, and swell to a large sum during periods of peace and prosperity, when it is less needed."

On the question whether the bill should pass over the veto, the vote was as follows: *

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Doolittle, Fessenden, Fitch, Foot, Foster, Gwin, Hale, Hamlin, Harlan, King, Lane, Latham, Nicholson, Polk, Pugh, Rice, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, and Wilson—27.

NAYS—Messrs. Bragg, Chesnut, CRITTENDEN, Davis, Fitzpatrick, Green, Hemphill, Hunter, Iverson, Johnson of Arkansas, Johnson of Tennessee, Mallory, Mason, Pearce, Powell, Sebastian, Wigfall, and Yulee—18.

It is unnecessary to add anything to this record to fix responsibility for the fate of the homestead bill upon the Democracy, or to illustrate the artful manœuvring by which they sought to avoid it. The record shows that they endeavored first to defeat any bill by delay. Being forced to act, they substituted a graduation bill for the homestead, and finally had this vetoed on the shallowest pretexts. It was a game of evasion and trick from beginning to end. It was never intended that any bill should pass. The effort was, when forced to vote, so to emasculate the bill that a majority of the Republicans might vote against it; and the remarks of Davis and Green above referred to, and others to the same effect, were often repeated, and even their votes were cast, as the sequel shows, to produce this effect. It is manifest, indeed, that it was arranged that the bill should be vetoed if not killed in this manner, because all the votes necessary to sustain the veto were promptly furnished, with as little regard to consistency as the President himself exhibited in vetoing a measure to carry into effect the pledge he had given in his inaugural address, "to reserve the public lands as much as may be for the actual settler." That this programme was known to their leaders is now manifest from a circumstance which occurred on the 3d of April. Mr. Green then said, in reference to the bill, that it could not become a law without the President's signature. Senator Trumbull immediately inquired, whether he meant to intimate that the President would veto the bill, and Green gave no reply.

The bill to prevent the sale of the public land to speculators for ten years after they are surveyed, a proper supplement to the homestead law, was passed by the House, May 26, 1860, (pp. 2252, 2253,) by the following vote:

* Senator Johnson of Tennessee voted in the negative to move a reconsideration.

YEAS—MESSRS. Charles F. Adams, Adrain, Aldrich, Alley, Babbitt, Barr, Beale, Bingham, Blair, Blake, Brayton, Buffinton, Burnham, Butterfield, Campbell, Carey, Carter, Case, Horace F. Clark, Clark B. Cochrane, John Cochrane, Colfax, Conkling, Covode, H. WINTER DAVIS, Dawes, Delano, Duell, Edwards, Eliot, Ely, ETHERIDGE, Fen-ton, Ferry, Florence, Foster, Frank, French, Gooch, Graham, Grow, J. MORRISON HARRIS, Haskin, Helmick, Hoard, Holman, William Howard, William A. Howard, Humphrey, Hutchins, Junkin, Francis W. Kellogg, Kilgore, Killinger, De Will C. Leach, Lee, Loomis, Lovejoy, Maclay, Marston, Charles D. Martin, McKnight, McPherson, Moorhead, Morrill, Edward Joy Morris, Morse, Nixon, Olin, Perry, Pettit, Porter, Potter, Pottle, Reynolds, Rice, Christopher Robinson, Royce, Schwartz, Seranton, Sedgwick, Sherman, Simes, Spinner, William Stewart, Stratton, Thayer, Tompkins, Train, Trimble, Vandever, Van Wyck, Verree, Wade, Waldron, Walton, Elihu B. Washburne, Israel Washburn, Wells, Wilson, Windom, and Woodruff—102.

NAYS—MESSRS. THOMAS L. ANDERSON, WILLIAM C. ANDERSON, Ashmore, Avery, Barrett, Bocock, Bonham, Boteler, Boyce, BRADSON, BRISTOW, Burch, Burnett, John B. Clark, Clopton, Cobb, James Craig, Crawford, Curry, John G. Davis, De Jarnette, Edmundson, Fouke, Gartrell, Gil-

MER, Hamilton, HARDEMAN, John T. Harris, HATTON, Hawkins, HILL, Houston, Hughes, Jenkins, JAMES M. LEACH, Love, MAYNARD, McQueen, McRae, Millson, Montgomery, LABAN T. MOORE, Sydenham Moore, NELSON, Noell, Peyton, Phelps, Pryor, Pugh, QUARLES, Reagan, Riggs, James C. Robinson, Ruffin, Rust, Simms, Singleton, WILLIAM N. H. SMITH, Stallworth, Stevenson, STOKES, Thomas, Underwood, VANCE, WEBSTER, Winslow, and Wright—67.

The Senate's Committee on Public Lands reported against this bill on 7th June, (p. 2723,) and no action was afterwards taken on it in that body.

This record leaves nothing to be said with respect to the positions of *parties* on questions which have been the touchstone of political sympathies in all time. It is true that a few of the Democratic Senators and Representatives vote with the Republicans for homesteads and bills to stop land monopoly, but this argues nothing as to their real wishes on the subject; for whilst they uphold the power that overrules their votes, they themselves render such votes inoperative. They are in fact the most effective supporters of the forestallers, speculators, and monopolizers, for, by their *show* of opposition, they are enabled to aid in betraying the people to their oppressors.

REPUBLICAN PLATFORM,

Adopted by the Chicago Convention, May 17, 1860.

Resolved, That we, the delegated representatives of the Republican Electors of the United States, in Convention assembled, in discharge of the duty we owe to our constituents and our country, unite in the following declarations:

First. That the history of the nation during the last four years has fully established the propriety and necessity of the organization and perpetuation of the Republican party, and that the causes which called it into existence are permanent in their nature, and now, more than ever before, demand its peaceful and constitutional triumph.

Second. That the maintenance of the principles promulgated in the Declaration of Independence, and embodied in the Federal Constitution, "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed," is essential to the preservation of our republican institutions; and that the Federal Constitution, the rights of the States, and the Union of the States, must and shall be preserved.

Third. That to the Union of the States this nation owes its unprecedented increase in population; its surprising development of material resources; its rapid augmentation of wealth; its happiness at home and its honor abroad; and we hold in abhorrence all schemes for disunion, come from whatever source they may; and we congratulate the country that no Republican member of Congress has uttered or countenanced the threats of disunion, so often made by Democratic members without rebuke and with applause from their political associates; and we denounce those threats of disunion, in case of a popular overthrow of their ascendancy, as denying the vital principles of a free Government, and as an avowal of contemplated reason, which it is the imperative duty of an indignant people sternly to rebuke and forever silence.

Fourth. That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions, according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends; and we denounce the lawless invasion by armed force

of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.

Fifth. That the present Democratic Administration has far exceeded our worst apprehensions in its measureless subservieney to the exactions of a sectional interest, as especially evidenced in its desperate exertions to force the infamous Lecompton Constitution upon the protesting people of Kansas—in construing the personal relation between master and servant to involve an unqualified property in persons—in its attempted enforcement everywhere, on land and sea, through the intervention of Congress and of the Federal courts, of the extreme pretensions of a purely local interest, and in its general and unvarying abuse of the power intrusted to it by a confiding people.

Sixth. That the people justly view with alarm the reckless extravagance which pervades every department of the Federal Government; that a return to rigid economy and accountability is indispensable to arrest the systematic plunder of the public Treasury by favored partisans; while the recent startling developments of frauds and corruptions at the Federal metropolis show that an entire change of Administration is imperatively demanded.

Seventh. That the new dogma that the Constitution of its own force carries slavery into any or all of the Territories of the United States, is a dangerous political heresy, at variance with the explicit provisions of that instrument itself, with contemporaneous exposition, and with legislative and judicial precedent; is revolutionary in its tendency, and subversive of the peace and harmony of the country.

Eighth. That the normal condition of all the territory of the United States is that of Freedom; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that "no person should be deprived of life, liberty, or property, without due process of law," it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the Constitution against all attempts to violate it; and we deny the authority of Congress, of a Territorial Legislature, or of any individuals, to give legal existence to slavery in any Territory of the United States.

Ninth. That we brand the recent reopening of the African slave trade, under the cover of our national flag, aided by perversions of judicial power, as a crime against humanity, and a burning shame to our country and age; and we call upon Congress to take prompt and efficient measures for the total and final suppression of that execrable traffic.

Tenth. That in the recent vetoes by their Federal Governors of the acts of the Legisla-

tures of Kansas and Nebraska, prohibiting slavery in those Territories, we find a practical illustration of the boasted Democratic principle of non-intervention and popular sovereignty embodied in the Kansas-Nebraska bill, and a demonstration of the deception and fraud involved therein.

Eleventh. That Kansas should of right be immediately admitted as a State under the Constitution recently formed and adopted by her people; and accepted by the House of Representatives.

Twelfth. That while providing revenue for the support of the General Government by duties upon imports, sound policy requires such an adjustment of these imposts as to encourage the development of the industrial interest of the whole country; and we commend that policy of national exchanges which secures to the working men liberal wages, to agriculture remunerating prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence.

Thirteenth. That we protest against any sale or alienation to others of the public lands held by actual settlers, and against any view of the free homestead policy which regards the settlers as paupers or supplicants for public bounty; and we demand the passage by Congress of the complete and satisfactory homestead measure which has already passed the House.

Fourteenth. That the Republican party is opposed to any change in our naturalization laws, or any State legislation by which the rights of citizenship hitherto accorded to immigrants from foreign lands shall be abridged or impaired; and in favor of giving a full and efficient protection to the rights of all classes of citizens, whether native or naturalized, both at home and abroad.

Fifteenth. That appropriations by Congress for river and harbor improvements of a national character, required for the accommodation and security of an existing commerce, are authorized by the Constitution and justified by an obligation of the Government to protect the lives and property of its citizens.

Sixteenth. That a railroad to the Pacific Ocean is imperatively demanded by the interests of the whole country; that the Federal Government ought to render immediate and efficient aid in its construction; and that, as preliminary thereto, a daily overland mail should be promptly established.

Seventeenth. Finally, having thus set forth our distinctive principles and views, we invite the co-operation of all citizens, however differing on other questions, who substantially agree with us, in their affirmance and support.

